# **EXHIBIT E**



### HENRY FORD HOSPITAL

# Natalie Reeser Missed Pay Period Chronology Claim # 177607 March 20, 2014

On January 20, 2014, Ms. Natalie Reeser placed Honry Ford Hospital Human Resources on notice that she was normally the sole employee assigned to service customers/patients at our Clinton Township Clinic. Ms. Reeser informed me that her normal schedule Monday — Thursday was a 9.5 hour shift to allow for the 30 minute unpaid lunch break and therefore paid for 9 hours per day. Ms. Reeser stated that she was required to service customer/patients at any time during her shift and thus was not allotted the 30 minute lunch break.

The departmental leadership was contacted at which point it was issued that the 30 minute lunch period was indeed not being paid as that there were numerous days when Ms. Reeser had very few customers/patients to service. The departmental leadership was informed that despite the "idle time", Ms. Reeser was required to be at her workplace for the entire shift to service any customers/patients that arrived and was being "engaged to wait", thus, entitling her to payment for these periods.

At this point, a review commenced to determine the amount owed to Ms. Reeser. The following information was gathered for a time period of 2 years back from the day in which Ms. Reeser placed Henry Ford Hospital on notice:

- Time cards submitted by Ms, Reeser
- Payroll records from Feb 20, 2012 to the March 4, 2014 (end date of investigation);
  - o To identify the number of hours worked each day to determine which days were cligible for the paid 30 minute period (8 hours or greater of work time)
  - To identify the number of hours worked each week so overtime could be properly assessed
- Compensation reports from Feb 20, 2012 to March 4, 2014 (end date of investigation);
  - . c To ensure the correct hourly rate was assessed for each time period, as a merit increase occurred during this 2 year look-back.
- Schedules from Feb 20, 2012 to March 4, 2014 (end date of investigation);
  - To identify which dates there was more than I person assigned to work at the site (as Ms. Recser informed me that when there were 2 people assigned, she was allotted the 30 minute functioner.)

### Summary of findings:

It was determined that Ms. Reeser was owed a total of 376 missed funch breaks (at 30 minutes each). Attached you will find the "Pay Adjustment details" (Attachments #1 – #4) which breaks down the total amount owed to Ms. Reeser including the number of days paid at the regular/overtime rate and the pay rate used for these calculations. Also attached is the compensation history (attachments #9 and #10) showing Ms. Reeser's rates of pay including the

offective dates of said rates.

The review was finalized on March 4, 2014 and Ms. Reeser was contacted regarding the pending payment. (See attachment #5). The check was issued on March 4, 2014 and was direct deposited into Ms. Reeser's bank account on March 7, 2014. (Please see attachment #6 - #8).

This act payment of \$2469.67 (gross amount of \$3572.52) made Ms. Reeser whole for all unpaid lanch payments. Copies of the documents reviewed for this 2+ year period (time cards, payroll, compensation records and schedules) can certainly be provided if required. Attached is also a copy of the Henry Ford Health System Break Period Policy. (See attachment #9)

If you have any questions or concerns about the above/attached information or if you would like additional information please contact me at the below number.

Respectfully submitted,

Jill E. Hood, PHR, MSCJ Senior Business Partner

Human Resources and Volunteer Services

Henry Ford Hospital 313-575-6742



March 5, 2014

TO: Natalie Reeser

Re: Investigation summary from January 20, 2014 conversation

Dear Ms. Natalie Reeser,

When we met on January 20, 2014, you brought several concerns to my attention. I have finalized my investigation and wanted to share with you the results.

### Paid meal break:

You informed me that you have not been allowed to take this 30 minute break but rather were "engaged to wait" during this time without compensation. Per HPHS policy #5.05, employees are entitled to a 30 minute unpaid lunch break. Thus, an in-depth review of your schedules, payroll records, and compensation records has been conducted for 2 years back to the date that you placed me on notice (The Fair Labor Standards Act allows for a 2 year statute of limitations for back wages). As stated in my small to you on 3/4/14, a check was processed and sent to your bank via direct deposit on 3/4/14 for any/all days where 8+ hours were worked without a lunch from January 20, 2012 to February 25, 2014. Included on this check is payment for a 30 minute "meal period" including overtime calculations. Thus, anytime that you worked over 40 hours in a week, the lunch period was calculated at the overtime rate of one and a half times your hourly rate.

### Reporting of break time:

At that meeting on January 20, you informed me that Fiona stated you would be "terminated" if you contacted Human Resources about this "unpaid lunch" concern. You shared with me that other employees were also issued this same threat and you asked that I follow up with your fellow co-workers to get confirmation. Part of my investigation was direct conversations with the staff and based on those conversations, I was not able to validate this claim as no other employee supported this statement. In fact, your fellow co-workers informed me that Fiona had provided them with a written procedure for reporting when a lunch (meal period) was not received.

## 2013 Performance Review Concerns:

You stated that "I believe my supervisor, Fiona Bork, was not impartial when she assigned "2.0 Some Success" markers to two performance categories on my annual review." Additionally, you raised concern about an "altered or deleted goal."

Regarding the 2 goals that were scored at a "2.0":

 Foster and Support innovation: As I shared with you at the meeting on January 20, 2014, the score of 2 was listed in error, per your Manager, and had already been changed to a "3".

- Display a Positive Attitude/Respond in a Timely Manner: This item was scored as a "2" due to the need for "additional training due to numerous complaints of bruising and pain." At our meeting, you shared with me that a change in supplies (tape) issued by the company was the sole cause for these errors. During my investigation, however, information was provided to me that your trainer found an error in your technique that would cause "bruising". Thus, it appears that this score was given in good faith by your Manager.
- Regarding the "altered or deleted goal": As I shared with you at our meeting on January 20, 2014, after reviewing your performance evaluation, I noticed that you had a goal of "To Grow CTPSC to 20 plus customers a day." The volume per day for 2013 did not reach that goal, therefore you received a score of "2" with a 5% weight. Since this goal was not within your direct control and since the score was less than satisfactory, I requested that this goal be deleted and that the 5% weight be attributed to another goal (which ultimately raised your overall performance score).

# Unemployment hearing for a previous employee:

You informed me that your Manager, Fiena Bork, told you that you needed to "lie" at an unemployment hearing for a previous employee. You additionally stated that Fiena told you that you would be "terminated" if you did present this false testimony.

- Regarding the "false statements: After reviewing documentation regarding this particular unemployment hearing, I found an email from you, informing Fiona that you personally overheard the exact statements that you told me were "lies". There was also a second email from you referencing the first email, in which you wrete: "I am willing to take a lie detector test, I have nothing to hide. I am telling the 100% truth."
- Regarding the threat of termination: On January 24, 2014, I emailed and asked for specific documentation regarding this threat. The only statement you would provide in writing was "I was still a newer employee, I just remember not having a choice."

Upon concluding the investigation, your allegations could not be substantiated.

Sincerely,

Jill E. Hood, PIIR, MSCJ

Human Resources

Senior Business Partner

Henry Ford Hospital and Volunteer Services

Office: 313-916-8564

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Natalie Reeser Pay Adjustment Details

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# Natalie Reeser Pay Adjustment Details

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Total due	\$1,677.74

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Net Pay	\$2,459,67

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# Hood, Jill

From: Hood, JR

Sent: Tuesday, March 04, 2014 1:56 PM

To: Naizie K. Reeser

Ca: Hood, Jill

Subject: "Meal period" salary adjustments

Importance: Hig

### Hi Natalie,

I wanted to give you a status update in regards to the "unpaid hundres" that we discussed on January 20, 2014. I just received notification from Payroli list the calculations have been finalized and the check is being direct deposited into your account today.

Included on this check is payment for a 30 minute "meal period" any/all days where 84 hours were worked without a lunch. As I previously mentioned we went back 2 years from the date that you placed me or notice (January 20, 2012 to the current date).

The payment includes Overtime calculations, so anytime that you worked over 40 hours in a week, the lunch period was calculated at the overtime rate of one and a half-times your hourly rate.

If you have any questions about this payment care you have received it, please let me know.

### Thank you

JIII E. Hood, PHR. Thuman Resources Senior Business Partner Theory Ford Hospital and Volunteer Services Office: 313-916-8564 Blackberry: 313-575-6742

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System-Wide Break Periods IIR Policy No: 5.65

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Policy No: 5.05

Subject: Break Periods

Supersedes: All existing corporate and business unit policies on this subject

<u>Effective</u>: January-1, 1999 <u>Reviewerf</u>: December 1, 2012

Revised: September 1, 2008, August 1, 201!

 $\underline{Page(s)}: \qquad \qquad 3$ 

Approved by: Human Resources Executive Team (IRET)

### 1.0 Philosophy/Purpose

Good employee mental and physical health is important to Henry Ford Health System. A healthy employee team is a productive employee team. To achieve this goal, HFHS will attempt to provide break periods to employees, based on several factors, whenever possible.

### 2.0 Scope

This policy applies to all employees at all business units and corporate offices of Henry Ford Acalth System.

The policy and procedures enumerated below shall apply unless such policy or procedures are otherwise specified in a contract to which Henry Ford Health System, or a covered business unit, is a signatory. In such eases, the terms of the contract shall govern for employees covered by that contract, and such terms will take precedence over this policy.

### 3.0 Responsibility

The interpretation, administration and monitoring for compliance of this policy shall be the responsibility of HFHS Human Resources and operational leadership.

### 4.0 Policy

Although not required by law, it is the policy of Henry Ford Health System to provide break periods to employees whenever possible and based on several factors. Although break periods are not guaranteed, they may be provided subject to adequate staffing, for durations based on the number of hours worked in the current workday, and may be paid or not paid.

For the purpose of this policy, unless otherwise stated, "break period" includes both paid and unpaid lunch and other break periods.

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System-Wide Break Periods HR Policy No: 5.05

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### 5.0 Practice/Procedure

Employees may be provided break periods according to the following guidelines:

### 5.1 SUPERVISOR SCHEDULING OF BREAK PERIOD

In order to maintain quality customer service standards, break periods may only be taken if there is adequate staffing to provide continuity of service. For this reason, break periods will be scheduled by supervisors whenever possible, although the scheduling may change at any time. Supervisors should accordingly strive to afford all employees the appropriate break period(s) as stated in this policy.

HFHS will provide nursing mothers reasonable break time for an employee to express breast milk for her marsing child for one year after the birth of a child. Employees are required to use their break time and will be granted unpaid break times as necessary. The frequency and duration of each break may vary. A space that is shielded from view and free from intrusion of co-workers and the public must be provided. Bathrooms, even if private, are not permissible.

### 5.2 ALLOTMENT OF BREAK TIME

Allotment of and compensation for break periods, based on the number of hours worked in the current workday, is generally as follows:

Hours	Break Allotment
4 or less	No Break
More than 4 but less than 8	One (1) paid fifteen minute break
3, but less than 12	Two (2) paid lifteen minute breaks and one (1) 30 minute unpaid lunch break
12 or more	Three (3) paid fifteen minute breaks and one (1) 30 minute unpaid funch break
Lunch Break	Thirty (30) minutes (Unpaid)

These are general system-wide guidelines. Practices at specific business units may vary. Consult the regional Human Resources Service Center for more information.

# 5.3 COMBINING BREAK AND LUNCE PERIODS

Combining break and harch periods must be approved by the supervisor and may be permitted where it enhances the operation of the requesting employee's department.

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System-Wide Break Periods IR Policy No. 5.05

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### 5.4 SKIPPING BREAK PERIODS

Employees may not forgo break periods, including lunch periods, in field of leaving work early or coming in late.

### 5.5 MISSED PAID BREAKS

Paid breaks are part of employees' scheduled compensation. Therefore, if a scheduled break is missed, no additional compensation will be provided.

Similarly, employees may not work through unpaid break periods unless requested by or otherwise approved by operational leadership. Some employees working over forty (40) hours in an work week must be paid overtime pay for all hours worked in excess of forty (40) regardless of whether the extra time was worked voluntarily or at operational leadership's request. See Overtime Policy 6.09.

### 5.6 <u>LEAVING HEHS PREMISES</u>

Unless approved by department leadership, employees may not leave the premises during paid break periods. Employees may leave the premises during unpaid lunch periods, although employees doing so must return punctually. Breaks and lunch periods taken in the building are to be spent in designated areas, not in public lobby areas or visiting other employees at their work stations. Any disruptions to normal business are not permitted.

Affachments to IIR Policy 5.03

None

See also:

Overtime Compensation Policy 6.89 Work Day Policy 5.84

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